

REMARKS/ARGUMENTS

The rejections presented in the Office Action dated May 24, 2010 (hereinafter Office Action) have been considered. Claims 1, 2, 4-14, 17-21, 28-31, and 35-39 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

1. Claim 33 is objected to because of informalities.

Applicants have canceled claim 33 without prejudice or disclaimer. Withdrawal of the objection is therefore respectfully requested.

2. Claims 19-21, and 38 are rejected based on 35 U.S.C. §101.

Without acquiescence to the rejections or the reasons given therefor, Applicants have amended claim 19 to recite “non-transitory computer readable medium.” Withdrawal of the rejection is therefore respectfully requested.

3. Claim 1 is rejected based on 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0052966 by Isomura et al. (hereinafter “Isomura”) in view of U.S. Patent No. 6,351,771 to Craddock et al. (hereinafter “Craddock”). Claims 14, 17-19, 28, and 31 are rejected based on 35 U.S.C. §102(e) as being anticipated by or, in the alternative, based on 35 U.S.C. §103(a) as obvious over Isomura.

Applicants respectfully traverse the rejections. Isomura, either alone or in combination with Craddock fails to teach or suggest all the limitations of at least independent claims 1, 14, 17, 19, and 28. As a result, *prima facie* obviousness has not been established.

For example, claim 1 recites, among other things, translating the protocol of an ad hoc service discovery request into a service discovery protocol used by an Internet-located service registry by way of a generic service discovery format, the translated service discovery request being used to discover an Internet service provider of the service requested. Claims 14, 17, 19, and 28 include similar recitations. Applicants submit that Isomura fails to teach or suggest this type of translation between home proximity networks and Internet service providers.

The Isomura disclosure “relates to a server for enabling a discovery of a service provided by an apparatus or appliance using one SDP from another appliance using other SDP.” (Isomura, 0001). In the Office Action, paragraphs 0035-0043 of Isomura are cited as teaching

an Internet-located service registry and Internet service provider. The Examiner states that Isomura “did not explicitly disclose the common database 41 as being an Internet-located database, however it is obvious to a person of ordinary skill in the art at the time of the invention to implement UPnP or any other internet-based SDP that is [associated] with the common database.” (Office Action, page 5, lines 13-16). Applicants respectfully disagree with this contention. Isomura fails to even suggest a service discovery protocol used by an Internet-located service registry used to discover an Internet service provider, nor would one of ordinary skill in the art reasonably consider the teachings of Isomura to be applicable to Internet registries and services.

Isomura is clearly describing the SDP in the context of proximity networks, e.g., “JINI proposed by SUN Microsystems, UPnP proposed by UPnP forum, Salutation proposed by Salutation consortium, Bluetooth SDP profile proposed by Bluetooth SIG, or SLP proposed by IETF.” (Isomura, 0003). These protocols are intended for use in local area networks, not the Internet. For example, Jini, UPnP, Salutation, and SLP all use technologies for service discovery that are neither practical for nor intended for use on the Internet. For example, IETF RFC 2608, “Service Location Protocol, Version 2” states at Section 1.1:

SLP is intended to function within networks under cooperative administrative control. Such networks permit a policy to be implemented regarding security, multicast routing and organization of services and clients into groups which are not be feasible on the scale of the Internet as a whole.

SLP has been designed to serve enterprise networks with shared services, and it may not necessarily scale for wide-area service discovery throughout the global Internet, or in networks where there are hundreds of thousands of clients or tens of thousands of services.

Applicants assert that Salutation, UPnP, and Jini are similar to SLP in this respect, e.g., using multicast for service discovery, not intended to scale to the Internet, etc.

The Bluetooth, Salutation, UPnP, and Jini protocols/technology are generally referred to as “proximity networking” technologies. For example, “UPnP technology provides a distributed, open networking architecture that leverages TCP/IP and the Web technologies to enable seamless proximity networking,” (UPnP Forum, “UPnP Device Architecture 1.0,” 24

April 2008); The term “proximity” signifies that these protocols/technologies are intended to be limited in the physical and/or logical size of the networks in which they are used.

Accordingly, contrary to what is asserted in the Office Action, it would not be obvious to one of ordinary skill in the art to extend the service discovery of the proximity networks of Isomura to be used with Internet-located service registries used to discover Internet service provider. For at least this reason, therefore, independent claims 1, 14, 17, 19, and 28 are neither anticipated by Isomura, nor are they rendered obvious by Isomura, either alone or in combination with Craddock. Craddock was only cited as purportedly teaching features related to detecting incompatibilities between a client and service provider. Craddock was not relied upon to cure the above noted deficiencies of Isomura, nor does Craddock provide such a remedy. Accordingly, claims 1, 14, 17, 19, and 28 are allowable over these references.

Claims 18-19 and 31 depend respectively from claims 17 and 28, and were also rejected as being obvious in view of Isomura. While Applicants do not acquiesce with any particular rejections to these dependent claims, it is believed that these rejections are now moot in view of the remarks made in connection with independent Claims 17 and 28. “If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious.” M.P.E.P. §2143.03; citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

4. Claims 20, 21 and 29 are rejected based 35 U.S.C. §103(a) as being unpatentable over Isomura in view of U.S. Patent No. 6,002,853 to de Hond (hereinafter “ de Hond”). Claim 30 is rejected based on 35 U.S.C. §103(a) as being unpatentable over Isomura in view of U.S. Patent No. 6,741,695 to McConnell et al. (hereinafter “McConnell”). Claims 36-39 are rejected based on 35 U.S.C. §103(a) as being unpatentable over Isomura in view of U.S. Publication No. 2005/0149294 by Gebhart (hereinafter “Gebhart”). Claim 35 is rejected based on 35 U.S.C. §103(a) as being unpatentable over Isomura in view of Craddock as applied to claim 1, and further in view of Gebhart. Claim 2 is rejected based on 35 U.S.C. §103(a) as being unpatentable over Isomura in view of Craddock as applied to claim 1, and further in view of U.S. Patent No. 7,543,056 to McClure et al. (hereinafter “McClure”). Claim 4 is rejected based on 35 U.S.C. §103(a) as being unpatentable over Isomura in view of Craddock as applied to claim 1, and further in view of McConnell. Claims 5-9, 12 and 13 are rejected based on 35 U.S.C. §103(a) as being unpatentable over

Isomura in view of Craddock and McConnell as applied to claim 4, and further in view of U.S. Patent No. 7,123,710 to Ravishankar (hereinafter “Ravishankar”). Claims 10 and 11 are rejected based on 35 U.S.C. §103(a) as being unpatentable over Isomura in view of Craddock and McConnell as applied to claim 4, and further in view of U.S. Publication No. 2004/0003058 by Trossen (hereinafter “Trossen”).

Applicants respectfully traverse the rejections. The rejections of claims 2, 4-9, 10-13, 20, 21, 29, 30, and 35-39 relies on either Isomura or the combination of Isomura and Craddock to describe all the elements of independent claims 1, 14, 17, 19, and 28 from which claims 2, 4-9, 12, 13, 20, 21, 29, 30, and 35-39 ultimately depend. Applicants reassert the arguments presented above regarding the failure of Isomura, either alone or in combination with Craddock, to teach or suggest all of the elements of claims 1 and 11. None of these additional references were relied upon to remedy the deficiencies of Isomura or Isomura/Craddock regarding claims 11, 14, 17, 19, and 28, nor do these additional references provide such a remedy. Without acquiescence with the particular rejections to these dependent claims, it is believed that these rejections are now moot in view of the remarks made in connection with independent claims 1, 14, 17, 19, and 28. These dependent claims include all of the limitations of the base claim and any intervening claims, and recite additional features which further distinguish these claims from the above-cited references.

Authorization is given to charge Deposit Account No. 50-3581 (NOKM.094PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the Examiner is invited to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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